

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

<b>GERALD L. SHULTS, JR.</b>	:	No. 1:20-cv-224
<b>Plaintiff,</b>		<b>Judge Timothy Black</b>
<b>v.</b>	:	
<b>SANDRA NORLING</b>	:	
	:	Magistrate Judge Stephanie K. Bowman
<b>Defendant.</b>	:	
		[formerly in the Common Pleas Court of Clermont County, Ohio No. 2020 CVC 00208]

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**PLAINTIFF'S MOTION TO DISMISS DEFENDANT'S MOTION FOR JUDGMENT ON  
THE PLEADINGS**

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Now comes Gerald Shults, by and through his undersigned counsel, and moves this Honorable Court to dismiss Defendant's Motion for Judgment on the Pleadings filed on May 8, 2020 as said motion is now moot. A memorandum in support is attached to this motion.

Respectfully submitted:

/s/ Andrew Green  
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Shults v. Norling

Case Number: No. 1:20-cv-224

Plaintiff's Motion to Dismiss Defendant's Motion for  
Judgment on the Pleadings

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**MEMORANDUM IN SUPPORT**

Defendant filed a Motion for Judgment on the Pleading on May 8, 2020. Pursuant to an order of this Court the filing deadline for a response to this motion was extended to June 16, 2020. On June 12, 2020, the Court signed an Agreed Order to Amend Pleadings giving Plaintiff an additional fourteen (14) days to amend his complaint and giving the Defendant twenty-eight (28) days to respond.

The Plaintiff states that the Defendant's Motion for Judgment on the Pleading filed on May 8, 2020 became moot by the signing of the Agreed Order. Pursuant to Federal Rule of Civil Procedure 12(c), “[a]fter the pleadings are closed... a party may move for judgment on the pleadings.” In the case at bar, the Agreed Order filed with this Honorable Court on June 12, 2020 to Amend Pleadings re-opened the pleading practice. Therefore, the Defendant's Motion for Judgment on the Pleadings is moot and should be dismissed.

Respectfully submitted:

/s/ Andrew Green  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true, accurate, and correct copy of the foregoing Plaintiff's Motion to Dismiss Defendant's Motion for Judgment on the Pleadings was served on June 15, 2020, via electronic mail and/or regular U.S. Mail upon the following:

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

GERALD L. SHULTS, JR. : No. 1:20-cv-224  
Plaintiff, : Judge Timothy Black  
-vs- : Magistrate Stephanie K. Bowman  
SANDRA NORLING  
Defendant. :

[formerly in the Common Pleas Court of Clermont County, Ohio No. 2020 CVC 00208]

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ORDER GRANTING  
PLAINTIFF'S MOTION TO DISMISS DEFENDANT'S MOTION FOR JUDGMENT ON  
THE PLEADINGS

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This matter having come the Court on Plaintiff's Motion to Dismiss Defendant's Motion for Judgment on the Pleadings and the Court being otherwise sufficiently advised, IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's Motion to Dismiss Defendant's Motion for Judgment on the Pleadings is HEREBY GRANTED.

Signed this \_\_\_\_ day of June 2020

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Honorable Judge Timothy Black  
United States District Court  
Southern District of Ohio

Shults v. Norling  
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Plaintiff's Motion to Dismiss Defendant's Motion for  
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